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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,497	01/12/2004	Keith Andreasen	EQUUS-09A	1988

7590 05/17/2005

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EXAMINER

DAVIS, OCTAVIA L

ART UNIT	PAPER NUMBER
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2855

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/755,497

Applicant(s)

ANDREASEN ET AL.

Examiner

Octavia Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-15, 18-22, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 16, 17 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/11/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Acknowledgement is made of applicant's preliminary amendment filed 2/11/04.

Claim Objections

1. Claim 23 is objected to under 37 CFR 1.75(c) as being in improper form because a dependent claim must depend on any one of the claims preceding it. In this case, Claim 23 depends on claim 25. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 5, 8 – 15, 18 - 22, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Haddox.

Regarding claims 1, 12, 22 and 24, Haddox discloses a method and apparatus for measuring and testing internal combustion engine parameters comprising a gauge sensor 20, 52 in communication with engine cylinders (See Cols. 7 and 8, lines 57 – 68 and 1 – 5), the gauge sensor being operative to detect compression stroke pressures within the cylinders (See Col. 5, lines 31 – 38), a gauge controller 64 in communication with the gauge sensor (See Col. 5, lines 5 – 16), the gauge controller including a comparator circuit 64 operative to compare detected compression

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stroke pressures within the cylinders and derive the pressure variances therebetween (See Col. 10, lines 25 – 34) and a gauge display in communication with the gauge controller for displaying the derived pressure variances (See Col. 6, lines 60 – 65).

Regarding claims 2 and 13, the gauge controller 64 comprises a detected pressure storage circuit for storing a plurality of compression assembly stroke pressures (See Col. 5, lines 39 – 47).

Regarding claims 3, 14 and 25, the comparator circuit 64 is operative to compare first and last compression stroke pressures detected in a cylinder and for deriving the pressure variances (See Col. 10, lines 25 – 34).

Regarding claims 4 and 5, the gauge display is operative to generate a comparison of the compression stroke pressures and illustrates the pressures (See Cols. 4 and 6, lines 47 – 60 and 60 – 68).

Regarding claims 8, 9, 18 and 19, the gauge sensor comprises a plurality of sensors each in communication with the gauge controller and a cylinder (See Col. 11, lines 40 – 46).

Regarding claims 10 and 20, the gauge controller 64 comprises a detected pressure storage circuit operative to store detected pressure levels in each cylinder (See Col. 5, lines 39 – 47).

Regarding claims 11 and 21, the comparator circuit 64 is operative to compare pressure levels in different cylinders (See Col. 11, lines 32 – 42).

Regarding claim 15, the reference compression stroke pressure is a maximum compression stroke pressure allowed by the cylinders (See Col. 5, lines 35 – 38).

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Allowable Subject Matter

4. Claims 6, 7, 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Timmerman (4,562,728) discloses a method and apparatus for determining the absolute compression pressure of each cylinder in an internal combustion engine.

Benedict (4,050,296) discloses a method and apparatus for determining the compression of each cylinder of an internal combustion engine.

Thomas (6,484,694) discloses a method of controlling an internal combustion engine.

Germann (3,765,233) discloses a device of measuring compression of piston engines.

Schwartz (3,979,960) discloses a compression tester for measuring the compression pressure in a cylinder.

6. Any inquiry concerning this communication should be directed to Examiner Octavia Davis at telephone number (703) 306 - 5896. The examiner can normally be reached on Monday - Thursdays (9:00 - 5:00), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz, can be reached on (571) 272 - 2180. The fax phone number for the organization where this application where this application or proceeding is assigned is (703) 872 - 9306.

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